



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bryan C. Gebhardt, Houman Azarm, Charles N. McCullough and  
Edgard S. Valdivia

APPLICATION NO.: 09/843,614

FILING DATE: April 25, 2001

TITLE: Synchronous Updating Of Dynamic Interactive Applications

EXAMINER: Not yet known

GROUP ART UNIT: 2631

ATTY. DKT. NO.: 19502-04564

RECEIVED

MAR 26 2002

Technology Center 2600

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

Dated: 3/15/02

By: Jeffrey Brill  
Jeffrey Brill, Reg. No.: 51,198

COMMISSIONER FOR PATENTS  
WASHINGTON, DC. 20231

**INFORMATION DISCLOSURE STATEMENT**  
**Under 37 CFR §§ 1.56 and 1.97-98**

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a

foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant request that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. [APPLICATION NUMBER], filed on [FILING DATE], and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,  
Bryan C. Gebhardt, Houman Azarm, Charles N.  
McCullough and Edgard S. Valdivia

Dated: 3/15/02

By: Jeffrey Brill  
Jeffrey Brill, Reg. No.: 51,198  
Fenwick & West LLP  
Two Palo Alto Square  
Palo Alto, CA 94306  
Tel.: (650) 858-7291  
Fax.: (650) 494-1417

19502/04564/DOCS/1253685.1

FORM PTO-1449  
(REV. 6-89)U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Attorney's Docket No.

19502-04564

Serial No.

09/843,614

**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Applicant

Bryan C. Gebhardt et al.

Filing Date

April 25, 2001

Group Art Unit

2631

**U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A	6,061,719	05/09/00	Bendinelli et al.	709	218	
	B	6,018,768	01/25/00	Ullman et al.	709	218	
	C	5,334,975	08/02/94	Wachob et al.	340	825	

RECEIVED

MAR 26 2002

Technology Center 2610

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

	D	Pending United States patent application, "Ensuring Reliable Delivery of Interactive Content," Serial Number 09/754,650, Filing Date January 3, 2001
	E	Pending United States patent application, "Automated Control of Interactive Application Execution Using Defined Time Periods," Serial Number 09/431,001, Filing Date November 1, 1999
	F	Pending United States patent application, "Automated Retirement of Interactive Applications Using Retirement Instructions for Events and Program States," Serial Number 09/334,131, Filing Date June 15, 1999
	G	Statement from first named inventor concerning Cited Reference F
	H	Pending United States patent application, "Automatic Control of Broadcast and Execution of Interactive Applications to Maintain Synchronous Operation With Broadcast Programs," Serial Number 09/333,724, Filing Date June 15, 1999
	I	Wink Communications, Technical Specification, Subject 5.2.17 ServerInfo Define, December 31, 1995

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.